

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Google, Inc.,

NO. C 05-00598 JW

Plaintiff,

v.

**SCHEDULING ORDER FOLLOWING  
CASE MANAGEMENT CONFERENCE**

Affinity Engines, Inc.,

Defendant.

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On September 26, 2005 the Court held a case management conference in this case. Accordingly, the parties are ordered to comply with the following schedule:

Should Plaintiff choose to file a motion for partial summary judgment limited to (1) ownership of the allegedly copied work, and (2) substantial similarity between the Plaintiff's and Defendant's work, Plaintiff should file this motion by November 28, 2005.

Plaintiff may not file its motion if the parties have not agreed on the deposition schedule for three individuals: Larry Page, Sergey Brin, and Orkut Buyukkokten. The notice of deposition for these individuals will specify the copyright factual issues to which the deposing party wishes deponents to answer questions. If the parties are able to agree on a deposition schedule, and so notify the Court, the interim case management conference currently scheduled for October 17, 2005 will be vacated.

If Plaintiff files the motion for partial summary judgment limited to the issues of ownership and

substantial similarity, Defendant's opposition shall be filed with this Court no later than January 30, 2006. Plaintiff's reply shall be filed by February 13, 2006. A hearing on the motion, if filed, is scheduled for February 27, 2006 at 9:00 a.m.

Dated: September 29, 2005

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/s/ James Ware  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Colleen Bal [cbal@wsgr.com](mailto:cbal@wsgr.com)  
David H. Kramer [dkramer@wsgr.com](mailto:dkramer@wsgr.com)  
3 Gabriel M. Ramsey [gramsey@orrick.com](mailto:gramsey@orrick.com)  
George Hopkins Guy [hopguy@orrick.com](mailto:hopguy@orrick.com)  
4 James A. DiBoise [jdiboise@wsgr.com](mailto:jdiboise@wsgr.com)  
Michael A. Berta [mberta@wsgr.com](mailto:mberta@wsgr.com)  
5 Peter J. O'Rourke [porourke@orrick.com](mailto:porourke@orrick.com)  
Rory Bens [rbens@orrick.com](mailto:rbens@orrick.com)  
6

7 **Dated: September 29, 2005**

**Richard W. Wieking, Clerk**

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9 By:       /s/ JW Chambers        
10 **Ronald L. Davis**  
11 **Courtroom Deputy**  
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